

REMARKS

In this Amendment, Applicant has cancelled Claims 23, 25, 27, 29 – 30, 32, 35 – 37 and 39 – 40 without prejudice or disclaimer, amended Claims 24, 26, 28, 31, 33, 34, 38, and added new Claims 41 – 42. Claims 24, 26, 28, 31, 33, 34, and 38 have been amended to overcome the rejections and further specify the embodiments of the present invention. The support for the amendments to the claims can be found throughout the specification. It is respectfully submitted that no new matter has been introduced by the amended claims. All claims are now present for examination and favorable reconsideration is respectfully requested in view of the preceding amendments and the following comments.

REJECTIONS UNDER 35 U.S.C. § 102:

Claims 39 – 40 have been rejected under 35 U.S.C. § 102 (e) as allegedly being anticipated by Krasij et al. (US 6,660,422), hereinafter Krasij. Claims 39 – 40, 23, 27 – 28 have been rejected under 35 U.S.C. § 102 (e) as allegedly being anticipated by Sasaki et al. (US 6,337,120), hereinafter Sasaki.

Applicant traverses the rejection and respectfully submits that the present-claimed invention is not anticipated by the cited reference. At first, Claims 39 – 40, 23 and 27 have been cancelled without prejudice or disclaimer. Therefore, the rejection to these claims is moot. In addition, Claim 28 has been amended to include the feature that “the connecting hole is provided at a position corresponding to a material injection gate in a mold and a diameter of said connection hole is larger than a diameter of the material injection gate.” It is respectfully submitted that Sasaki does not disclose such feature of the embodiments of the present invention as defined in the amended claim.

Therefore, the newly presented claim is not anticipated by Krasij or Sasaki and the rejection under 35 U.S.C. § 102 (e) has been overcome. Accordingly, withdrawal of the rejection under 35 U.S.C. § 102 (e) is respectfully requested.

REJECTIONS UNDER 35 U.S.C. § 103:

Claims 39 – 40 have been rejected under 35 U.S.C. § 103 as allegedly being unpatentable over Krasij. Claims 24 – 26 and 29 – 38 have been rejected under 35 U.S.C. § 103 as allegedly being unpatentable over Sasaki. Claims 30 – 40 (being broadest), 23, and 27 have been rejected under 35 U.S.C. § 103 as allegedly being unpatentable over Schmid et al. (US 6,080,503), hereinafter Schmid. Claims 30 – 40 (being broadest), 23, and 27 have been rejected under 35 U.S.C. § 103 as allegedly being unpatentable over Schmid in view of Sasaki or Krasij. Claims 30 – 40 (being broadest), 23, and 27 have been rejected under 35 U.S.C. § 103 as allegedly being unpatentable over Uchida et al. (US 6,316,139). Claims 30 – 40 (being broadest), 23, and 27 have been rejected under 35 U.S.C. § 103 as allegedly being unpatentable over Uchida in view of Sasaki or Krasij.

Applicant traverses the rejection and respectfully submits that the embodiments of present-claimed invention are not obvious over Krasij, Sasaki, Schmid, or Uchida. At first, it is respectfully submits that “Claims 30 – 40 (being broadest)” cited in the Office Action should have been “Claims 39 – 40 (being broadest)”. Applicant respectfully requests the Examiner to correct the record. Additionally, Claims 23, 25, 27, 29 – 30, 32, 35 – 37 and 39 – 40 have been cancelled without prejudice or disclaimer. Therefore, the rejection to these claims is moot.

Regarding the obviousness rejection to Claims 24, 26, 31, 33, 34 and 38 over Sasaki, it is respectfully submitted that the rejections are either improper or the new limitations added to these claims render them unobvious over Sasaki. More specifically, Applicant respectfully submits that the rejection to Claims 24 and 31 are improper because Sasaki fails to disclose or suggest that the sealing portions of the gasket lip have two separate and different shapes of chevron and trapezoid. The combination of these two shapes can lessen the effect of dislocation. In addition, the combination achieves excellent results in lowering and unifying the surface pressure in comparison with the gasket without such combination of shapes.

Regarding the rejection to Claims 26, 33 and 38, it is respectfully submitted that Sasaki fails to disclose or suggest the feature that “said first and second sealing portions are provided at positions shifted from the centers in the width direction of said base portions.” In addition, Claim 33 has been amended to include the additional feature that “the connecting hole is provided at a position corresponding to a material injection gate in a mold and a diameter of said connection hole is larger than a diameter of the material injection gate.” There is no motivation to modify Sasaki in the prior art to achieve the specific locations and shapes as defined the Claims 26, 33 and 38. Therefore, there is no *prima facie* case of obviousness to support the rejection over Sasaki.

Finally, it is respectfully submitted that Claim 34 has been amended to define an embodiment of the present invention that is not disclosed or suggested in any of the prior art references cited by the Examiner, including Sasaki. None of the reference discloses or suggests a method to make a gasket “wherein the projection is in a substantially triangular cross sectional shape or a substantially trapezoidal cross sectional shape and the gasket lip has a substantially triangular or circular arc cross sectional chevron portion which covers the projection; and wherein the vertical height of the projection and the gasket lip thereon from the bottom portion of the groove is greater than the depth of the groove, so that the gasket lip is in contact with the opposing inner surface of one of the pair of electrodes when assembled to achieve a sealing function.”

In summary, Krasij, Sasaki, Schmid, or Uchida does not disclose or suggest the features of the presently amended claims. In addition, none of these references provide motivation to modify or combine Krasij, Sasaki, Schmid, or Uchida. to solve the problem of the present invention. Even if they are modified or combined, they will not render the present claimed invention obvious. One of ordinary skill in the art would not discern the present invention as claimed at the time of its invention.

Therefore, the newly presented claims are not obvious over Krasij, Sasaki, Schmid, or Uchida and the rejection under 35 U.S.C. § 103 has been overcome.

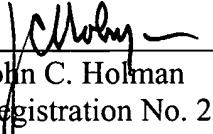
Accordingly, withdrawal of the rejections under 35 U.S.C. § 103 is respectfully requested.

Having overcome all outstanding grounds of rejection, the application is now in condition for allowance, and prompt action toward that end is respectfully solicited.

Respectfully submitted,

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